

**MALOOF BROWNE & EAGAN LLC**

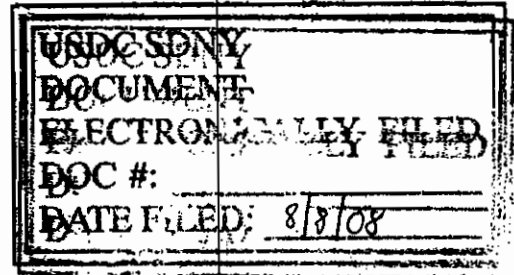
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March 24, 2008

**Via Facsimile – 2 Pages**

Honorable Denny Chin  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 1020  
New York, NY 10007  
Fax: 212-805-7906



**Re: *Sompo Japan Insurance, Inc. v. Yang Ming Marine Transportation***  
**Docket No: 07 Civ. 11276 (DC)**  
**Our Ref: 2503.81**

Dear Judge Chin:

We are attorneys for plaintiffs Sompo Japan Insurance Company of America and Sompo Japan Insurance, Inc.

In view of the Court's decision on Friday, March 20 in the related case *Sompo Japan Insurance v. Norfolk Southern Railway Company* (07 Civ. 2735), plaintiffs withdraw their motion for partial summary judgment in the instant case (without prejudice). A courtesy copy of the Notice of Withdrawal is attached.

We notified defendant's counsel on Friday of our likely intent to withdraw the motion, and confirmed it today.

We thank the Court for its consideration in this matter.

Respectfully submitted,

Thomas M. Eagan

TME/bm  
Encl.

cc: **Via Facsimile**  
Mr. Charles L. Howard, Esq.  
Fax: (215) 609-1117

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Approved. Plaintiffs'  
motion for partial  
summary judgment  
is DENIED as withdrawn,  
without prejudice.  
SO ORDERED.   
8/8/08

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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SOMPO JAPAN INSURANCE COMPANY OF :  
AMERICA, and SOMPO JAPAN INSURANCE, :  
INC., :

07 Civ. 11276 (DC)

- against -  
*Plaintiffs,*

: **NOTICE OF**  
**WITHDRAWAL OF MOTION**

:  
YANG MING MARINE TRANSPORT :  
CORPORATION, :

*Defendant.*

----- X  
Plaintiffs Sampo Japan Insurance Company of America and Sampo Japan Insurance, Inc. hereby withdraw their motion for partial summary judgment against Defendant Yang Ming Marine Transport Corporation filed on February 25, 2008 (Docket #10)(without prejudice).

Dated: Rye, NY  
March 24, 2008

MALOOF BROWNE & EAGAN LLC

By: 

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*Attorneys for Plaintiffs*

TO: All Counsel